

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:19-CR-14
)	District Judge Greer
XIAORONG YOU)	
aka SHANNON YOU)	

**Motion to File an Unsealed Copy of the Part of the Government’s Objections to the PSR
that Pertain to the Appropriate Method for Calculating Intended Loss**

The United States of America, by and through the United States Attorney for the Eastern District of Tennessee, hereby moves the court to file *an unsealed copy* of that portion of its Objections to the PSR pertaining to intended loss calculation methodology, and in support thereof, states the following:

1. The defendant’s offense level as calculated in the Presentence Investigation Report (“PSR”) [Doc. 366] is based, in part, upon intended loss to the victim companies.
2. The United States and the defendant, for different reasons, objected to the intended loss calculation set forth in the PSR.
3. The United States asserted its objections to the intended loss calculation in its 22-page *sealed* Objections of the United States to the Presentence Report [Doc. 392]. The United States’ objections included 17 pages describing the appropriate methodology for calculating intended loss. [*Id.* at 4-21.]
4. The defendant, conversely, asserted her objection to the intended loss calculation in her *unsealed* Sentencing Memorandum and Request for Variance [Doc. 400 at 7-18].

Wherefore, the United States of America moves the Court to permit the United States to

file an unsealed version of pages 4-17 of its objections to the PSR¹ because doing so is in the public's interest, in the interests of justice, and in the interests of promoting full consideration of all appropriate facts and arguments regarding intended loss by all interested parties, including the victim companies.

Respectfully submitted this the 10th day of February 2022.

FRANCIS M. HAMILTON III
UNITED STATES ATTORNEY

By: /s/ Timothy C. Harker

Timothy C. Harker, NY Bar# 4582177
Assistant United States Attorney
800 Market Street, Suite 211
Knoxville, Tennessee 37902
(865) 545-4167
Timothy.Harker@usdoj.gov

By: /s/ Nicholas O. Hunter

Nicholas O. Hunter (DC Bar # 1022355)
Trial Attorney
U.S. Department of Justice
National Security Division
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530
Email: nicholas.hunter@usdoj.gov

By: /s/ Matthew R. Walczewski

Matthew R. Walczewski (IL Bar #6297873)
Senior Counsel, U.S. Department of Justice
Criminal Division
Computer Crime & Intellectual Property
Section (CCIPS)
John C. Keeney Building, Suite 600
Washington, DC 20530
(202) 514-1026
Email: matthew.walczewski@usdoj.gov

¹ If the Court grants this motion, the United States will redact any information in these pages that is sensitive or proprietary to the victim companies.